

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff,

v.

KEYAFASCEA PEARSON,

Defendant.

**ORDER OF DETENTION PENDING PROBATION
VIOLATION HEARING**

Case Number: 06-20157

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

(1) I find that:

- there is probable cause to believe that the defendant has committed an offense
- for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;
- under 18 U.S.C. § 924(c).

(2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

- (a) nature of the offense - Probation Violation.
- (b) weight of the evidence - Evidence is strong .
- (c) history and characteristics of the defendant -
 - 1) physical and mental condition - Uncooperative and deceptive to U.S. Probation Officer.
 - 2) employment, financial, family ties - No job; no assets; transient residence.
 - 3) criminal history and record of appearance -
- (d) probation, parole or bond at time of the alleged offense - The defendant has consistently failed to maintain contact with her Supervising Probation Officer. She has falsified her residence, missed appointments, failed to report as directed and failed to hold a job. Even her mother was unable to locate her. She has been sought on an active warrant since August 2009. I have no confidence that she would appear for the 3/16/2010 hearing if released on bail. The Probation Department recommends detention. I fully agree
- (e) danger to another person or community -

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

s/Donald A. Scheer

Signature of Judge

Donald A. Scheer, United States Magistrate Judge

Name and Title of Judge

Date: March 9, 2010